



Leeds
CITY COUNCIL

Originator: Michael Howitt

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Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 10th January 2013

Subject: APPLICATION 12/03346/OT – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH MEANS OF ACCESS - BRADFORD ROAD, GILDERSOME.

APPLICANT

Gildersome
Developments Ltd and
Chartford Homes Ltd

DATE VALID

16th August 2012

TARGET DATE

15th November 2012

Electoral Wards Affected:

Morley North

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement to include the following obligations;

- (a) Provision of Metro Cards - £11,654.50.**
- (b) Bus stop improvements - £40, 000**
- (c) Provision of 15% affordable housing (within 2 years)**
- (d) Greenspace on site provision (N2.1) of 1151m2 and off site**

contribution of £37,780.09

In the circumstances where the Sec.106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

1. Standard Outline time limit.
2. Matters reserved
3. Development in accordance with approved plans
4. Materials to be submitted and approved
5. Hard surfacing details to be submitted
6. Visibility splay to be laid out
7. Full road layout to be submitted
8. All surfaces to be hard surfaced drained and sealed
9. Details of bin storage
10. Construction Management Plan
11. Landscaping details to be submitted
12. Landscaping Implementation
13. Preservation of existing trees
14. Replacement planting
15. Details of drainage scheme
16. Insulation scheme against road noise
17. Hours of construction
18. Control of noise nuisance during construction
19. Reporting of unexpected contamination.
20. Submission of verification reports.
21. Provision for nesting birds

Reason for approval:

In reaching a decision the case officer dealing with the application has worked with the applicant/ agent in a positive way as pre-application advice given by Officers has aided the applicant in producing an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

GP5, BD6, H4, N12, N13, T2 and T24

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel (South and West) at the request of Councillor Robert Finnegan due to the contentious nature of the application and local sensitivity regarding the proposal of housing on Greenfield sites.

2.0 PROPOSAL:

2.1 The application is for the erection of a residential development with an indicative amount of 26 properties. The properties are proposed to be two storey, built in artstone with rendered features under slate roofs. The access is to be taken from Bradford Road and is detailed within the application but as the application is submitted in outline, requesting only approval of access, the other matters would be dealt with under reserved matters.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is located on the Southern side of the old Bradford Road within an island of land bounded to the South by the A650. To the North and East the site there are residential properties and to the West of the site there is an existing residential care home. The site is not designated within the UDP and is currently undeveloped.

3.2 The site is reasonably accessible by public transport, located as it is close to a number of bus services and it is located adjacent Junction 27 of the M62 motorway making it easily accessible by the private car. There is however little in the way of shops located within the local vicinity.

3.3 The surrounding area is predominantly residential in character with a mix of differing traditional properties and the whilst the site falls within Drighlington Parish Council, the sites Eastern boundary forms the boundary with Gildersome Parish Council and as a result, both Councils were consulted on the application.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/01716/OT – Outline Application for specialist care village including new access. Approved at Plans Panel (East) on 18 October 2011
- 4.2 23/342/05/OT: Outline application to layout access and erect 2 storey 40 bedroom residential home with 18 car parking spaces. Refused 25 April 2006.
- 4.3 This application was the subject of an appeal (6 November 2006) and the appeal was dismissed. The inspector concluded that as the application, whilst not providing dwelling houses, it was nevertheless providing housing for a section of the community, and that the applicant had not shown why the proposal needed to be on this Greenfield site. Furthermore she concluded that the site, whilst having good public transport links, lacked local shops and services that made the site unsustainable. She did highlight the fact that there were schools and employment sites nearby but that these would be of little interest to residents of a residential care home.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions have taken place with the agents for the application to consider whether the principle of development of the site would be acceptable. Informal officer opinion was that given the nature of positive consideration of the previous permission on the site against housing policy that the development of the site for this purpose may be acceptable.

6.0 CONSULTATION RESPONSES:

Statutory Consultations:

- 6.1 Coal Authority – No objection
Highways – No objections subject to conditions in terms of access but that the shown layout would not be acceptable in terms of a reserved matters application

Non Statutory Consultations:

- 6.2 Sustainability (Nature) – No objection subject to conditions protecting nesting birds and bats.
Sustainability (Landscape) – No response but previous application response suggested no objection subject to replacement planting
Contaminated Land – No objections subject to conditions
Mains Drainage – No objections subject to a condition requiring the submission of detailed surface water scheme.
Metro – No objection subject to contributions towards upgrading of the adjacent bus stops with bus shelters and live bus information displays and

bus only travel card scheme for residents.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notice on 31 August 2012. 2 letters of objection have been received and the objections are on the following grounds.

- There will be increased traffic generation on the road network with a further 26 houses.
- There will be ecological issues generated by the development.
- It will put further strain on Council services such as refuse collection and education.

7.2 Drighlington Parish Council – No objection

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 The following policies from the UDP are relevant:

- Policy GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy BD5 seeks to ensure that all new buildings should be designed with consideration to both their own amenity and that of their surroundings.
- Policy H4 provides for residential development on unallocated sites.
- Policy N12 seeks to ensure that development should respect fundamental priorities for urban design.

- Policy N13 seeks to ensure that the design of new buildings should be of high quality and have regard to the character and appearance of their surroundings.
- Policy T2 ensures that new development is adequately served by the existing highway network and does not create or add to problems of safety or efficiency.
- Policy T24 indicates the levels of parking provision and new development - this should reflect guidance contained within Appendix 9 of volume 2 of UDP.
- Policy LD1 ensures that proposed and existing landscaping enhances the area. proposals should not create new, or exacerbate existing, highway problems.

Supplementary Guidance:

- Neighbourhoods for Living (SPG)
- Street Design Guide

National Policy/Guidance:

- National Planning Policy Framework (2012)

9.0 MAIN ISSUES:

1. The principle of development.
2. Design and the character of the area.
3. Access and highway safety considerations
4. Greenspace
5. Affordable Housing.
6. Public Transport.

10.0 APPRAISAL:

1. The principle of development.

- 10.1 The application site is an unallocated piece of land that is currently used as grazing land. The land to both East and West has been recently developed; to the West with a residential Nursing home and to the East by a development of 8 dwellinghouses. The previous history of the site shows that in 2006, an application for a residential care home was refused and also dismissed at appeal primarily on the grounds that the site was a Greenfield site that was unsustainable for the use proposed and no evidence had been put forward as to why the development needed to be located on the site. Subsequent to this, an application was approved by Plans Panel East on 18 October 2011 for a residential care establishment for people suffering from Prader Willi Syndrome. The application was considered at that time against housing policy and it was deemed to be acceptable for this specific residential purpose at that time.

- 10.2 The location of the site with both good public transport links and also a location close to the motorway network means that it will serve the area well in terms of transport links. The site is well served by public transport with a bus every 15 minutes to a major public transport interchange. The site is within a 20 minute walk of a primary health and primary education. The site is also within a 30 minute walk of a secondary school. The site meets the requirements of accessibility set out in the emerging Core Strategy. Therefore, this site is accessible via alternative modes of transport.
- 10.3 The National Planning Policy Framework which has replaced Planning Policy Statement 3 requires that local planning authorities should identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Deliverable sites should be available now; be in a suitable location; and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. Sites with planning permission should be considered deliverable until permission expires subject to confidence that it will be delivered.
- 10.4 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (NPPF paragraphs 47 – 48). The most recent Annual Monitoring Report (AMR), which monitors Leeds housing provision, was published in December 2011 and approved by Executive Board. This report stated that Leeds did not have a 5 year housing land supply. It is unlikely that the position the Council adopted in December 2011 has altered any. Notwithstanding this, the NPPF and the emerging Core Strategy do not preclude development on greenfield, unallocated sites provided that they meet the criteria for sustainable development and Policy H4 of the UDP also had a similar provision.
- 10.5 Having regard to the above, it is considered that this sustainable site is acceptable in terms of the principal of residential development.

2. Design and the character of the area

- 10.6 The application is submitted in outline form and therefore, there is little in the way of design information submitted within the application other than an indication of scale and materials. It is proposed that the development will comprise two storey houses built in artstone and rendered panel

features under slate roofs with the indicative layout showing reasonable amounts of amenity space to the properties. This would sit comfortably with the surrounding area in terms of scale and also be acceptable in terms of materials, giving the developments that surround the application site. It is therefore considered that the site, as indicatively proposed, could provide a scheme that would be acceptable in terms of design and character.

3. Access and highway safety considerations

- 10.7 As well as principle, the other matter requested for approval is access and it is confirmed by the Highway Authority that the proposal shows an acceptable access with adequate visibility splays. It is stated within the highways response that the indicative internal layout of the site shown would not be acceptable and would require revision but as the application only deals with access, there is no significant harm to the free and safe use of the highway and the proposal is acceptable in terms of highways.

4. Greenspace

- 10.7 The proposal is for an indicative 26 properties and therefore a greenspace contribution would be required for the provision of off site greenspace within the local area. A section 106 agreement is currently being agreed between parties and the green space figure is calculated on the basis of 26 units with on site provision (N2.1) of 1151m². No maintenance fee is included as it is expected that the developer will have its own maintenance arrangements and a figure of £37,780.09 would be required Any such agreement would be required to be signed prior to any permission being granted.

5 Affordable Housing

- 10.8 The amount of development proposed triggers the requirement for affordable housing The application proposes 15% affordable housing provision on site in accordance with the adopted Interim Affordable Housing Policy. The provision is in the form of a 50/50 mix of social rent and shared equity properties.
- 10.9 In relation to the application site the Interim Policy applies a requirement of 15% affordable housing (a reduction from the SPD figure of 30% applied to the application and from the 30% figure of the previous Interim Guidance adopted in July 2008). The requirement for a 50/50 mix of social rent and shared equity is unchanged. The Policy indicates that permissions granted will normally be time limited to 2 years. The proposed Section 106 would have a clause which states that if not commenced

within 2 years, the requirement will revert to the policy at the time that the site comes forward for development.

6. Public Transport

10.10 Metro advise that bus stop numbers 13034 and 13035 (the two bus stops located closest to the site) should have shelters installed at a cost to the developer of around £10,000 each; This payment also includes maintenance of each shelter. The two shelters should include seating, lighting and bus information. Additionally, Metro suggest that future residents would benefit from the new 'live' bus information displays at each of the above named bus stops at a cost of approximately £10,000 each (including 10 years maintenance) to the developer. The displays are connected to the West Yorkshire 'real time' system and give accurate times of when the next bus is due, even if it is delayed. As such a contribution via a section 106 agreement will be required to provide for these improvements. Furthermore, Metro requests that the developer should fund a Bus Only Travel Card for each resident. The current price to the developer is £11,654.50. This includes a 10% fee for the administration of the scheme and again this contribution will be secured via a section 106 agreement.

11.0 CONCLUSION:

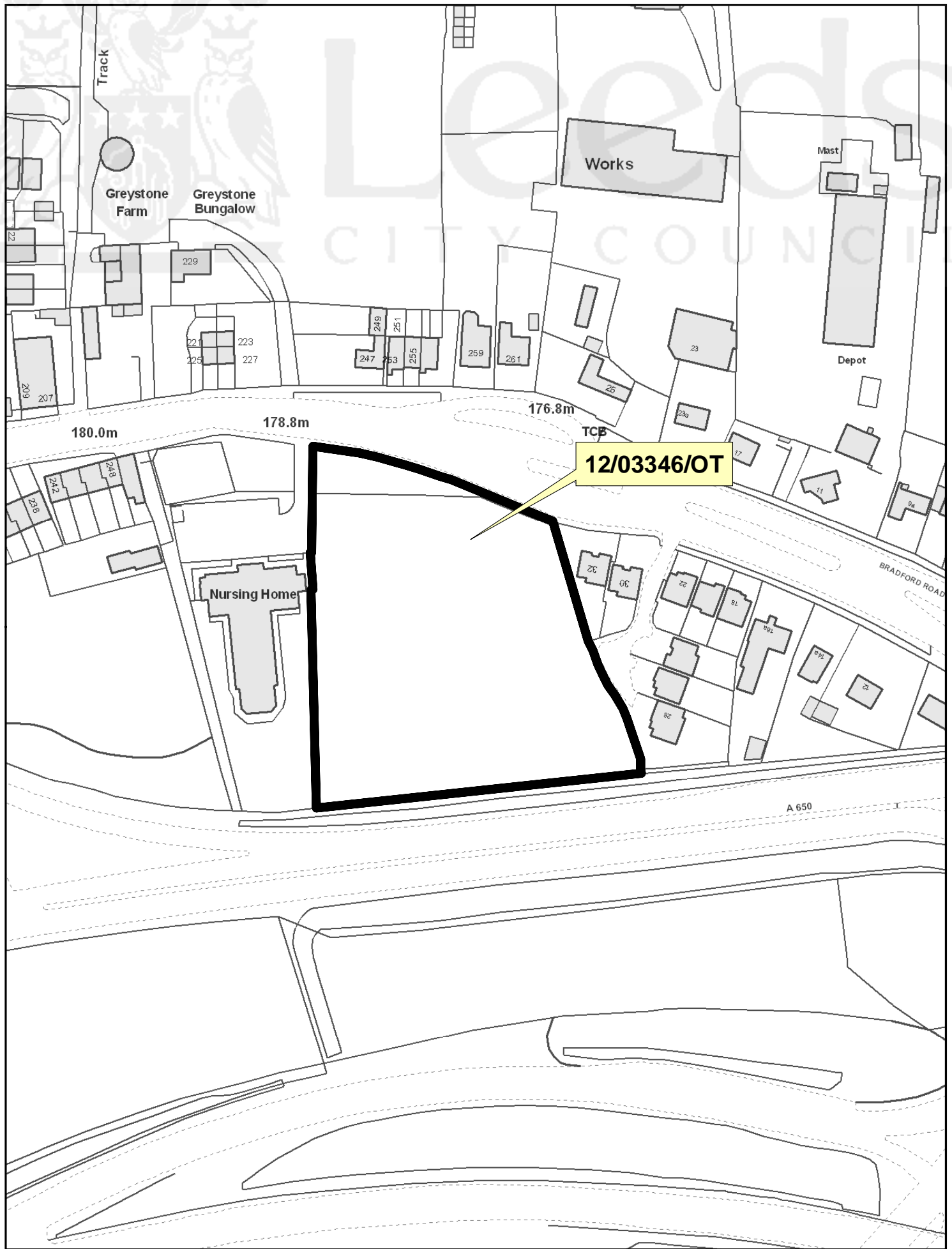
11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable given that the principle of residential development is considered to be acceptable as the site is situated in a sustainable location. The layout and scale of the proposal is appropriate in regard to its surroundings, it raises no issues of detrimental harm to visual or residential amenity and no issues of harm to highways safety and as a consequence, it is therefore recommended that the application be approved.

Background Papers:

Application files 12/03346/FU

Certificate of ownership:

As applicant



SOUTH AND WEST PLANS PANEL